

AMENDED IN ASSEMBLY MAY 22, 2003  
AMENDED IN ASSEMBLY MAY 12, 2003  
AMENDED IN ASSEMBLY MARCH 24, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

**ASSEMBLY BILL**

**No. 731**

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**Introduced by Assembly Member Spitzer**

February 19, 2003

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An act to amend Section 13146.2 of the Health and Safety Code, relating to fire safety.

LEGISLATIVE COUNSEL'S DIGEST

AB 731, as amended, Spitzer. Public safety: building inspections.

Existing law requires the State Fire Marshal to adopt, amend, and repeal rules and regulations for fire and panic safety in all hotels, motels, lodging houses, apartment houses and dwellings, buildings, and accessory structures. Existing law requires every city or county fire department or district providing fire protection services that is charged with enforcement of specified building standards and regulations to annually inspect these structures, except dwellings, for compliance.

This bill would instead require the inspection of defined apartment houses on a periodic basis to be determined by the fire department or district as necessary to protect the public health and safety, but no less than once every 3 years, *if the apartment house consists of not more than 3 stories and each unit has separate, direct access to a public way.*

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

SECTION 1. Section 13146.2 of the Health and Safety Code is amended to read:

13146.2. (a) Every city or county fire department or district providing fire protection services required by Sections 13145 and 13146 to enforce building standards adopted by the State Fire Marshal and other regulations of the State Fire Marshal shall, annually, inspect all structures subject to subdivision (b) of Section 17921, except dwellings and apartment houses *that are subject to subdivision (b)*, for compliance with building standards and other regulations of the State Fire Marshal. ~~The inspection of an apartment house shall occur~~ Marshal.

(b) *The inspection of an apartment house shall occur on a periodic basis to be determined by the fire department or district as necessary to protect the public health and safety, but no less than once every three years, if the apartment house consists of not more than three stories and each unit has separate, direct access to a public way.*

~~(b)~~

(c) A city, county, or district that inspects a structure pursuant to subdivision (a) may charge and collect a fee for the inspection from the owner of the structure in an amount, as determined by the city, county, or district, sufficient to pay its costs of that inspection.

~~(c)~~

(d) For purposes of this section, an “apartment house” means an apartment house in which each unit has a separate exit to the exterior of the apartment house.